IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 519 of 2005

Between:

Smt. Rafath Javeda, W/o. Late S.A. Moinuddin,
R/o. H.No. 2-7-93/4, Sitharamapuram, Suryapet,

Nalgonda District.

..... PETITIONER

AND

1 The Depot Manager, A.P.S.R.T.C.,

Hanmakonda Bus Depot, Warangal District.
2 Ibrahim Khaleel, S/o. Ghouse Mohiuddin Quadri,
LIG-II, Q.No.120, Housing Board-I,

Keerthi Nagar Colony, Warangal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ in the nature of Mandamus or any other appropriate Writ, order or directions by declaring the action of the respondents in not releasing the pensionary benefits like P.F. Gratuity, SBTF, SRBS, EDLIF etc., to the Petitioner, as illegal, arbitrary and unconstitutional being violative of Articles 14 and 16 of the Constitution of India and consequently direct the respondents to release all the pensionary benefits like P.F. Gratuity, SBTF, SRBS, EDLIF etc., to the petitioner, with all consequential benefits, and to pass such other or orders

Counsel for the Petitioner: MR.B.A.PRAKASH REDDY

Counsel for the Respondent No.1: SMT.P.RAJANI REDDY

The Court at the admission stage made the following:

ORDER:

Declaring the action of the respondents in not releasing the pensionary benefits like P.F, Gratuity, SBTF, SRBS, EDLIF etc. to the petitioner, as illegal and arbitrary, the present writ petition is filed.

As per the proceedings of the 1st respondent, dated 19.02.2002, the petitioner was directed to produce death certificate and succession certificate issued by the competent authority, so as to settle the amounts. Thereafter, the respondent Corporation also issued another proceedings dated 09.09.2003 informing the petitioner to produce the succession certificate from the competent Court.

According to the learned standing Counsel for the 1st respondent, the succession certificate obtained by the petitioner has not been produced before the respondent Corporation. According to the learned Counsel for the petitioner, the petitioner has already submitted the succession certificate to the respondents along with his representation, dated 31.07.2004.

It is for the respondents to take appropriate decision on the representation of the petitioner. Therefore, without entering into the merits of the case, the respondents are directed to consider the representation of the petitioner dated 31.07.2004, and pass appropriate orders thereon, in accordance with law, within a period of 6 (six) weeks from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. No order as to costs.

Dated:10.03.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Depot Manager,

APSRTC,

Hanmakonda Bus Depot,

Warangal District

2. Two CD copies

*Form-NIC-OGS/WP{**SPJS**}*